

REMARKS

Initially, Applicant would like to express his appreciation to the Examiner for the detailed Official Action provided, for the indication that the drawings filed on January 22, 2002 are acceptable, and for the acknowledgment of Applicant's Claim for Priority and receipt of the certified copy of the priority document in the Official Action.

Applicant would also like to express his appreciation to the Examiner for the acknowledgment of Applicant's Information Disclosure Statement filed on April 22, 2002, by return of the Forms PTO-1449. However, Applicant notes that the Examiner has not initialed the listings of the English language abstracts of the Japanese patent documents on the Form PTO-1449. Applicant submits that the Examiner should have initialed the listing of the English language abstracts in order to indicate consideration thereof. Accordingly, the Examiner is respectfully requested to return copies of the Forms PTO-1449, with the listing of the English language abstracts initialed, to Applicant with the next official communication in the present application. Although we are requesting that the Abstracts be specifically initialed, even if the Examiner does not specifically initial them, we presume that, because the Examiner's initials indicate her consideration of the non-English language patent documents themselves, the Abstracts have also been considered during consideration of the underlying documents.

Applicant acknowledges with appreciation the indication that claims 5 and 7-10 contain allowable subject matter, on page 4 of the Official Action.

Upon entry of the above amendments, claims 1 and 8 will have been amended and claims 11-29 will have been submitted for consideration. Claims 1-29 are currently pending. Applicant respectfully requests reconsideration of the outstanding objections and rejections, and allowance of all the claims pending in the present application.

On pages 2 and 3 of the Official Action, claims 1-3 and 6 were rejected under 35 U.S.C. § 102(b) as being anticipated by UEDA et al. (U.S. Patent No. 5,345,338).

Applicant respectfully traverses the rejection of claims 1-3 and 6 under 35 U.S.C. § 102(b).

Claim 1, as presently amended, recites that the positive second lens group includes a doublet and a positive lens element, in this order from the object. Applicant submits that the second lens group 2 disclosed in UEDA et al. does not include a *doublet*, much less *a doublet and a positive lens element in that order from the object*.

Applicant also submits that dependent claims 2, 3 and 6 which are at least patentable due to their dependency from claim 1, for the reasons noted above, recite additional features of the invention and are also separately patentable over the prior art of record.

Applicant respectfully submits that the rejection of claims 1-3 and 6 under 35

U.S.C. § 102(b) is improper at least for each and certainly for all of the above-noted reasons. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection, and an early indication of the allowance of these claims.

On page 3 of the Official Action, claims 1 and 4 were rejected under 35 U.S.C. § 102(b) as being anticipated by WATANABE (U.S. Patent No. 5,270,864).

Applicant respectfully traverses the rejection of claims 1 and 4 under 35 U.S.C. § 102(b).

Claim 1, as presently amended, recites that the positive second lens group includes a doublet and a positive lens element, in this order from the object. Applicant submits that the second lens group 2 disclosed in WATANABE does not include a *doublet*, much less *a doublet and a positive lens element in that order from the object*.

Applicant also submits that dependent claim 4 which is at least patentable due to its dependency from claim 1, for the reasons noted above, recites additional features of the invention and is also separately patentable over the prior art of record.

Applicant respectfully submits that the rejection of claims 1 and 4 under 35 U.S.C. § 102(b) is improper at least for each and certainly for all of the above-noted reasons. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection, and an early indication of the allowance of these claims.

Applicant submits that newly presented claims 11-14 are also patentable over the

prior art of record. In this regard, Applicant notes that claim 11 is similar to previous claim 1, but is directed to a zoom lens system *that focuses on objects at variable distances up to infinity*. Applicant submits that UEDA et al. (U.S. Patent No. 5,345,338) and WATANABE (U.S. Patent No. 5,270,864) are each directed to zoom lens systems for copying machines which focus at one object distance, rather than zoom lens systems capable of focusing on objects at *variable distances up to infinity*. Further, claims 12-14 each depend from claim 11. Accordingly, Applicant respectfully requests an early indication of the allowance of these claims.

Applicant submits that newly presented claims 15-29 are also patentable over the prior art of record. In this regard, Applicant notes that claim 15 contains the subject matter of previous claim 5, rewritten in independent form, which the Examiner has indicated as being allowable, and that claims 16-19 each depend from claim 15. Applicant further notes that claim 20 contains the subject matter of previous claim 7, rewritten in independent form, which the Examiner has indicated as being allowable, and that claims 21-24 each depend from claim 20. Applicant further notes that claim 25 contains the subject matter of previous claim 8, rewritten in independent form, which the Examiner has indicated as being allowable, and that claims 26-29 each depend from claim 25. Accordingly, Applicant respectfully requests an early indication of the allowance of these claims.

COMMENTS ON REASONS FOR ALLOWANCE

In regard to the Examiner's indication of allowable subject matter in claims 5 and 7-10 on pages 4 and 5 of the Official Action, Applicant does not disagree with the Examiner's indication that the prior art taken either singularly or in combination fails to anticipate or fairly suggest the limitations of claims 5 and 7-10 in such a manner that a rejection under 35 U.S.C. §102 or §103 would be proper. Further, the Applicant does not disagree with Examiner's comments regarding features of each of claims 5 and 7-10 which the prior art does not teach. However, Applicant wishes to make clear that the claims in the present application recite a combination of features, and that the patentability of these claims is also based on the totality of the features recited therein, which define over the prior art. Thus the reasons for allowance should not be limited to those mentioned by the Examiner. Further, in regard to the Examiner's comments regarding KREITZER et al. (U.S. Patent No. 5,268,792), Applicant notes that there is no disclosure in KREITZER et al. of aspheric surfaces which satisfy the conditions recited in claims 9 and 10.

SUMMARY AND CONCLUSION

Entry and consideration of the present amendment, reconsideration of the outstanding Official Action, and allowance of the present application and all of the claims therein are respectfully requested and now believed to be appropriate.

Applicant has made a sincere effort to place the present application in condition for allowance and believes that he has now done so.

Any amendments to the claims that have been made in this amendment, which do not narrow the scope of the claims, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered cosmetic in nature, and to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should there be any questions or comments, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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